

P20918.P01

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

P20918

Total Pages

 Inventor(s) or Application Identifier
 Fred ZACOUTO, Efrén Vigil CABALLERO, and Jose Angel Alvarez CANAL

Title: SKELETAL IMPLANTS

ADDRESS TO:

 Assistant Commissioner for Patents
 Box Patent Application
 Washington, DC 20231

APPLICATION ELEMENTS

ACCOMPANYING APPLICATION PARTS

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
 - a. ☐ Small Entity Statement(s)
3. ☒ Specification (preferred arrangement set forth below) [Total Pages 69]
 - Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- ☒ Drawing(s) (35 USC 113) [Total Sheets 26]
- ☒ Oath or Declaration [Total Pages 4]
 - a. ☐ Newly executed (original or copy) ☐ Unexecuted
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 20 completed)
[Note Box 6 below]
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
- ☒ Incorporation By Reference (useable if Box 5b is checked)
The entire disclosure of the prior application, from which a
copy of the oath or declaration is supplied under Box 5b, is
considered as being part of the disclosure of the accompanying
application and is hereby incorporated by reference therein.
- ☐ Application Data Sheet. See 37 CFR 1.76
- ☐ CD-Rom or CD-R in duplicate, large table or Computer
Program (Appendix)

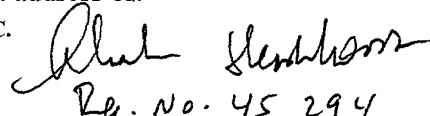
9. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies
10. ☐ Assignment Papers (cover sheet & document(s))
11. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
12. ☐ English Translation Document (if applicable)
13. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
14. ☒ Preliminary Amendment
15. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
16. ☒ Figure of Drawing to be published 64
17. ☒ Foreign priority claimed
 - a. ☒ Claim of Priority
 - b. ☐ Certified Copy of Priority Document(s)
18. ☐ Assignee: _____
19. ☒ Other: Request for Examiner Approval of Drawing
Amendment (with three sheets)
Copy of Request for Extension of Time filed concurrently in
Parent Application No. 09/200,855

20. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

- ☒
- Continuation
- ☐
- Divisional
- ☐
- Continuation-in-part (CIP) of prior Application No. 09/200,855, filed November 30, 1998.
-
- Prior application information: Examiner: _____ Group Art Unit: _____

21. ☐ Amend the specification by inserting before the first line the sentence:This application is a continuation-in-part, continuation, divisional, of Application No. / , filed .Address all future correspondence to **Customer No. 7055** at the present address of:
 GREENBLUM & BERNSTEIN, P.L.C.
 1941 Roland Clarke Place
 Reston, VA 20191
 (703) 716-1191

 January 9, 2002
 Date


 Reg. No. 45,294
 Signature

 Neil F. Greenblum, Reg No. 28,394
 Typed or Printed Name


07055

PATENT TRADEMARK OFFICE

FEE TRANSMITTAL

Complete if Known

FEE TRANSMITTAL		Application Number		Not Yet Assigned			
		Filing Date		Concurrently Herewith			
		First Named Inventor		F. ZACOUTO et al.			
		Group Art Unit		Unassigned			
		Examiner Name		Unassigned			
TOTAL AMOUNT OF PAYMENT		(\$) <u>370.00</u>		Attorney Docket Number		P20918	

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																																					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number <u>19-0089</u> Deposit Account Name <u>GREENBLUM & BERNSTEIN, P.L.C.</u> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, including any required extension of time fees in any concurrent or future reply requiring a petition for extension of time for its timely submission (37 CFR 1.136(a)(3)) <input type="checkbox"/> Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.311(b) <input checked="" type="checkbox"/> Applicant Claims Small Entity Status See 37 CFR 1.27. 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR Prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for response within 1st month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for response within 2nd month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for response within 3rd month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for response within 4th month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for response within 5th month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive unavoidably abandoned application</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of IDS</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="4">Other fee (specify)</td><td></td><td></td></tr> <tr><td colspan="4">Other fee (specify)</td><td></td><td></td></tr> <tr> <td colspan="4">SUBTOTAL (3)</td> <td>(\$)</td> <td><u>0</u></td> </tr> </tbody> </table>						Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet.		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR Prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for response within 1st month		116	400	216	200	Extension for response within 2nd month		117	920	217	460	Extension for response within 3rd month		118	1,440	218	720	Extension for response within 4th month		128	1,960	228	980	Extension for response within 5th month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive unavoidably abandoned application		141	1,280	241	640	Petition to revive unintentionally abandoned application		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	180	126	180	Submission of IDS		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application		Other fee (specify)						Other fee (specify)						SUBTOTAL (3)				(\$)	<u>0</u>
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																		
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																																																			
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.																																																																																																																																																																																																			
139	130	139	130	Non-English specification																																																																																																																																																																																																			
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																																			
112	920*	112	920*	Requesting publication of SIR Prior to Examiner action																																																																																																																																																																																																			
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																			
115	110	215	55	Extension for response within 1st month																																																																																																																																																																																																			
116	400	216	200	Extension for response within 2nd month																																																																																																																																																																																																			
117	920	217	460	Extension for response within 3rd month																																																																																																																																																																																																			
118	1,440	218	720	Extension for response within 4th month																																																																																																																																																																																																			
128	1,960	228	980	Extension for response within 5th month																																																																																																																																																																																																			
119	320	219	160	Notice of Appeal																																																																																																																																																																																																			
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																																																																			
121	280	221	140	Request for oral hearing																																																																																																																																																																																																			
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																			
140	110	240	55	Petition to revive unavoidably abandoned application																																																																																																																																																																																																			
141	1,280	241	640	Petition to revive unintentionally abandoned application																																																																																																																																																																																																			
142	1,280	242	640	Utility issue fee (or reissue)																																																																																																																																																																																																			
143	460	243	230	Design issue fee																																																																																																																																																																																																			
144	620	244	310	Plant issue fee																																																																																																																																																																																																			
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																																			
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																																			
126	180	126	180	Submission of IDS																																																																																																																																																																																																			
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																			
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																																			
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																			
179	740	279	370	Request for Continued Examination (RCE)																																																																																																																																																																																																			
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																																																			
Other fee (specify)																																																																																																																																																																																																							
Other fee (specify)																																																																																																																																																																																																							
SUBTOTAL (3)				(\$)	<u>0</u>																																																																																																																																																																																																		
FEE CALCULATION (fees effective 10/01/01) 1. FILING FEE <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>740</td><td>201</td><td>370</td><td>Utility filing fee</td><td><u>370</u></td></tr> <tr><td>106</td><td>330</td><td>206</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>107</td><td>510</td><td>207</td><td>255</td><td>Plant filing fee</td><td></td></tr> <tr><td>108</td><td>740</td><td>208</td><td>370</td><td>Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>160</td><td>214</td><td>80</td><td>Provisional filing fee</td><td></td></tr> <tr> <td colspan="4">SUBTOTAL (1)</td> <td>(\$)</td> <td><u>370</u></td> </tr> </tbody> </table> 2. CLAIMS <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Extra</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>9 -20=</td> <td>0</td> <td>x 18 =</td> <td>0</td> </tr> <tr> <td>Independent 3 -3=</td> <td>0</td> <td>x 84 =</td> <td>0</td> </tr> <tr> <td>Multiple Dependent Claims</td> <td></td> <td>x 280 =</td> <td>0</td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td></tr> <tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claim</td></tr> <tr><td>109</td><td>84</td><td>209</td><td>42</td><td>Reissue independent claims over original patent</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>Reissue claims in excess of 20 and over original patent</td></tr> <tr> <td colspan="4">SUBTOTAL (2)</td> <td>(\$)</td> <td><u>0</u></td> </tr> </tbody> </table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	740	201	370	Utility filing fee	<u>370</u>	106	330	206	165	Design filing fee		107	510	207	255	Plant filing fee		108	740	208	370	Reissue filing fee		114	160	214	80	Provisional filing fee		SUBTOTAL (1)				(\$)	<u>370</u>	Total Claims	Extra	Fee from below	Fee Paid	9 -20=	0	x 18 =	0	Independent 3 -3=	0	x 84 =	0	Multiple Dependent Claims		x 280 =	0	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	84	202	42	Independent claims in excess of 3	104	280	204	140	Multiple dependent claim	109	84	209	42	Reissue independent claims over original patent	110	18	210	9	Reissue claims in excess of 20 and over original patent	SUBTOTAL (2)				(\$)	<u>0</u>	*Reduced by Basic Filing Fee paid																																																																																																							
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																		
101	740	201	370	Utility filing fee	<u>370</u>																																																																																																																																																																																																		
106	330	206	165	Design filing fee																																																																																																																																																																																																			
107	510	207	255	Plant filing fee																																																																																																																																																																																																			
108	740	208	370	Reissue filing fee																																																																																																																																																																																																			
114	160	214	80	Provisional filing fee																																																																																																																																																																																																			
SUBTOTAL (1)				(\$)	<u>370</u>																																																																																																																																																																																																		
Total Claims	Extra	Fee from below	Fee Paid																																																																																																																																																																																																				
9 -20=	0	x 18 =	0																																																																																																																																																																																																				
Independent 3 -3=	0	x 84 =	0																																																																																																																																																																																																				
Multiple Dependent Claims		x 280 =	0																																																																																																																																																																																																				
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description																																																																																																																																																																																																			
103	18	203	9	Claims in excess of 20																																																																																																																																																																																																			
102	84	202	42	Independent claims in excess of 3																																																																																																																																																																																																			
104	280	204	140	Multiple dependent claim																																																																																																																																																																																																			
109	84	209	42	Reissue independent claims over original patent																																																																																																																																																																																																			
110	18	210	9	Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																			
SUBTOTAL (2)				(\$)	<u>0</u>																																																																																																																																																																																																		

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name	Neil F. Greenblum <u>Abraham HersHKovitz</u>			Reg. Number	28,394 <u>45,294</u>
Signature	<u>Neil F. Greenblum</u>	Date	<u>1/9/02</u>	Deposit Account User ID	

P20918.A02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Fred ZACOUTO et al.

Group Art Unit: 3738

Appln. No. : Unknown
(Continuation of US application 09/200,855)

Examiner: B. Snow

Filed : Concurrently herewith

For : SKELETAL IMPLANT

REQUEST FOR EXAMINER APPROVAL OF DRAWING AMENDMENT

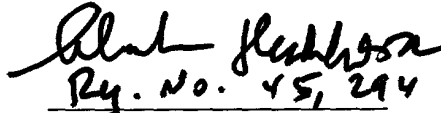
Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Attached hereto are three drawing sheets, which include changes to FIGS. 46, 47 and 64 indicated in red. These drawings are being filed concurrently with Applicants' Preliminary Amendment.

The Examiner is respectfully requested to indicate approval of the entry of the amended drawings in the next Office action.

Respectfully submitted,
Fred ZACOUTO et al.



Reg. No. 45,294

Neil F. Greenblum
Reg. No. 28,394

January 8, 2002
GREENBLUM & BERNSTEIN, P.L.C.
1941 Roland Clarke Place
Reston, Virginia 20191
(703) 716-1191